



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
---------------	-------------	----------------------	---------------------

08/448,254 05/23/95 TSUKAMOTO

22M2/0806

WILLIAM S FROMMER
CURTIS MORRIS & SAFFORD
530 FIFTH AVENUE
NEW YORK NY 10036

45-0100,3242	
EXAMINER	
GREGORY, B	
ART UNIT	PAPER NUMBER
	5

2202
DATE MAILED:

08/06/96

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

- ☒ Claims 1-40 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
- ☐ Claims _____ have been cancelled.
- ☐ Claims _____ are allowed.
- ☒ Claims 1-40 are rejected.
- ☐ Claims _____ are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.
- ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
- ☐ Formal drawings are required in response to this Office action.
- ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
- ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
- ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
- ☒ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☒ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
- ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 452 O.G. 213.
- ☐ Other

EXAMINER'S ACTION

Art Unit: 2202

1. Claims 1-40 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Throughout claims 1-40, the uses of "decoder" (for example, see claims 9, 18, 27, and 34) are indefinite and unclear in that it appears "decrypter" is what is meant in context. Throughout claims 1-40, the uses of the words "inhibiting" and "preventing" with respect to transfer of data or transmission are indefinite and unclear in that these verbs imply that the device is attempting to transfer data or transmit but that the attempt is inhibited or prevented; but, the remainder of the claim language of claims 1-40 points to comparison of the KEYCMD and ACK signals to make a decision as to whether to transfer data or to transmit. Throughout claims 1-40, it is unclear what is meant by the KEYCMD signal". The Specification states that the "KEYCMD signal" is a function of the "master security key". Is the "KEYCMD signal" encrypted data or a control command or something else? Dependent claims 2-27, 29-36, and 38-40 are unclear in that they depend from unclear independent claims 1, 28, and 37.

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

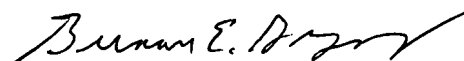
Welmer (U.S. Patent 4,980,912) and Welmer (U.S. Patent 5,144,662) are both of general interest for showing systems and methods that are similar to Applicants' invention.

Serial Number: 08/448,254

-3-

Art Unit: 2202

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernarr Gregory whose telephone number is (703) 306-4153 and whose FAX number is (703) 306-4195.



BERNARR E. GREGORY
PRIMARY EXAMINER
GROUP 2200



beg
August 1, 1996